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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/628,727

07/28/2000

Philip R. Krause

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35197

7590

12/13/2006

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EXAMINER

HUYNH, CONG LAC T

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/628,727	Applicant(s) KRAUSE ET AL.	
	Examiner Cong-Lac Huynh	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 45-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 45-46, 48-50, 52, 54-57, 63, 65-66 is/are rejected.
- 7) ☐ Claim(s) 47, 51, 53, 58-62 and 64 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: amendment filed 11/16/06 to the application filed on 07/28/00 which is a continuation of the application 09/015,660 filed on 01/29/98, now US Pat No. 6,154,757.
2. Claims 45-66 are pending in the case. Claims 45 and 65 are independent claims.
3. The rejections of claims 45-65 under 35 U.S.C. 112, second paragraph have been withdrawn in view of the amendment. The rejection of claim 47 under 35 U.S.C. 112, second paragraph has been withdrawn in view of Applicant's explanation.
4. The rejections of claims 45-50, 52-66 under 35 U.S.C. 103(a) as being unpatentable over Bates have been withdrawn in view of Applicant's argument regarding the date of Bates, which is after the priority date of the application.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 45-46, 48-50, 52, 54-57, 63, 65-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brotzman, The AAS CD-ROM Series, Astrophysics on Disc Volume VI, June 1996, pages 1-5.

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Regarding independent claim 45, Brotzman discloses:

- presenting, on a display controlled by the computer system, a portion of an outline of said electronic text (page 1: the outline with such an electronic text is implied to be presented on a computer display to user for viewing) wherein:
 - o an element of the text comprises at least one phrase appearing in said electronic text, said at least one phrase comprising at least one word (page 1: the "Introduction", "Preface", or "CD-ROM Contents" is an element of the text which is a phrase including at least one word)
 - o said outline comprises a plurality of elements, wherein elements of the outline comprises copies of elements of said electronic text (pages 1-5: the Table of Contents is an outline comprising a plurality of elements Preface, Introduction, CD-ROM Contents, ...which are copies of elements of said electronic text)
 - o each element of the outline represents a portion of said electronic text (pages 1-5: each element of the table of content such as Preface, Introduction, etc. represents a corresponding portion of the text Preface, Introduction, etc.)
 - o the combined elements of the outline comprise substantially less text than the entire electronic text (pages 1-5: elements of the table of content is less text than the entire text document)
 - o substantially all portions of said electronic text are represented by at least one element of the outline (pages 1-5)

- the relative positional of the outline correspond to the relative positional and hierarchical relationships of the portions of said electronic text represented by said elements of the outline (pages 1-5: the fact that the order of the portions of the text follows the order disclosed in the table of content indicates that the elements of the text is maintained according to the positional relationship between the elements referred in the table of content)
- in response to user action, said user action consisting only of indicating at least one element of said outline, selecting the entire portion of text represented by at least one element of the outline (page 1: it was well known in the art that with such a web document when user clicks on an outline element, which is a hyperlink in the Table of Contents, the portion of text in the document corresponding to the outline element is displayed; here, when a user clicks on at least one element of the outline, for example Preface, the entire portion of text represented by Preface is selected to be displayed to the user)
- performing an operation exclusively on the portion of electronic text selected in selecting step wherein said operation does not cause the display of said selected electronic text (page 2: clicking on Up to Table of Contents or Forward to CD-ROM Contents is performing an operation exclusively on the portion of the electronic text selected in selecting step since the Introduction portion is *not in* the portions of text correspondent to the element selected in the outline, and said operation does not cause the display of the selected text Preface)

Brotzman does not disclose that the hierarchical relationship between the elements of the text is maintained on the outline.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Brotzman to include the hierarchical relationship among the elements to Brotzman since it was well known that the sections in a table of content can further include subsections for further containing more detail contents for the text document. The combination of further including subsections into Brotzman would allow users to flexibly expand an outline and the document for adding more data in updating process.

Regarding claim 46, which is dependent on claim 45, Brotzman does not disclose that the user action comprises a mouse click on said outline element.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Brotzman to include the user action comprising a mouse click on said outline element since it was well known to select a hyperlink in a web document by a mouse click on said outline element. The combination a mouse click into Brotzman would provide a faster way to select an element in a document.

Regarding claim 48, which is dependent on claim 45, Brotzman discloses that the elements of text presented on the outline relate to the structure of the electronic text (pages 1-5: the fact that the order of the text of the elements Preface, Introduction, CD-ROM Contents, etc. is the same as the order of the elements in the table of contents

(Preface, Introduction, CD-ROM Contents, etc. indicates the relation between the structure of the text and the structure of the table of contents, which is the outline of the document).

Regarding claim 49, which is dependent on claim 45, Brotzman discloses that the outline is computer-generated using said electronic text as input (pages 1-5: the table of contents is computer-generated text).

Regarding claim 50, which is dependent on claim 45, Brotzman does not disclose modifying the appearance of said selected text to differ from the appearance of unselected text.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Brotzman to include modifying the appearance of said selected text to differ from the appearance of unselected text since it was well known in the art to highlight a selected text which makes it different from the unselected text.

Regarding claim 52, which is dependent on claim 45, Brotzman discloses the operation result displayed on the outline contains a hyperlink (page 1: elements displayed on the Table of Contents, which is the outline, contain a hyperlink such as Preface, Introduction).

Regarding claim 54, which is dependent on claim 45, Brotzman does not disclose storing a copy of said selected text in a computer memory buffer.

However, it would have been obvious to an ordinary skill in the art at the time of the invention was made to have modified Brotzman to include storing a copy of said selected text in a computer memory buffer for the following reason. It was well known in document processing to copy a selected text and to store the copied text in memory buffer to paste to another document or a blank file. The combination of storing a copied text feature to Brotzman would facilitate users in manipulating text in a document.

Regarding claims 56 and 57, which are dependent on claim 45, Brotzman does not disclose printing and copying the text into an electronic clipboard.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Brotzman to include printing and copying features the text referred to by the outline element since it was well known that a portion of text can be printing or copying by highlighting said selected portion to print or to copy as desired. So, in Brotzman, the Preface portion in the text referred to by the outline element "Preface" in the Table of Contents can be highlighted for printing or copying.

Regarding claim 63, which is dependent on claim 50, Brotzman does not disclose that the appearance modification comprises highlighting of said selected text.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Brotzman to include highlighting of said selected text since it was well known to highlight data for selecting data. The combination of the highlighting feature into Brotzman would help to easily differentiate between the selected text and the unselected text in a document.

Independent claims 65 and 66 are for a computer system and a memory storage of method claim 45, and are rejected under the same rationale.

7. Claim 55 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brotzman as applied to claim 45 above, and further in view of Shaw et al., Microsoft Office 6 in 1, Que Corporation 1994, pages 169-170.

Regarding claim 55, which is dependent on claim 45, Brotzman does not disclose searching within said selected text.

Shaw discloses searching within said selected text (pages 169-170: using Find Next command to search the selected text).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Shawn into Brotzman since Shawn teaches using the Find Next command to search within a selected text providing the advantage to incorporate into Brotzman to search within a text corresponding to an outline element which is a portion of text selected within the entire document.

Allowable Subject Matter

8. Claims 47, 51, 53, 58-62, 64 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Aoyagi et al. (US 4,751,674). Morgan (US 5,148,520). Maghbouleh (US 5,513,305).

Amstein et al. (US 5,793,966). Lin (US 5,978,818). Yen et al. (US 5,991,799).

Nakamura et al. (US 6,178,433). Blumer et al. (US 6,189,019).

Graham (US 6,343,302). Greenfield et al. (US 6,544,294). Nakamura (US 7,103,836).

Davis et al. (US 4,939,689). Borrel et al. (US 5,708,764).

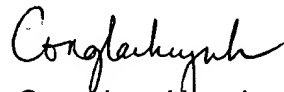
Klemets et al. (US 2001/0013068). Kuppusamy et al. (US 2005/0010865).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Thurs (9:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cong-Lac Huynh
Primary Examiner
Art Unit 2178
12/12/06